

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	CIVIL NO. 98-1664 (CCC)
)	CIVIL NO. 98-2344 (CCC)
vs.)	Consolidated Cases
)	
33.92536 ACRES OF LAND, MORE)	
OR LESS, SITUATED IN VEGA BAJA,)	
COMMONWEALTH OF PUERTO RICO,)	
AND JUAN PIZA BLONDET, AND)	
UNKNOWN OWNERS)	
)	
Defendants.)	

**THE UNITED STATES' SECOND REQUEST
FOR PRODUCTION TO DEFENDANT JUAN PIZA-BLONDET**

Plaintiff United States of America, pursuant to Rule 34 of the Federal Rules of Civil Procedure and Local Rule 26, requests Defendant Juan Piza-Blondet to produce and permit counsel for the United States to inspect and copy each of the following items at the offices of the U.S. Department of Justice, Environment and Natural Resources Division, Land Acquisition Section, 601 D Street, NW, 3rd Floor, Washington DC 20004, within 30 days of the date of service of this request.

Definitions

For purposes of this request for production, the following definitions apply:

1. "You" and "your" mean Defendant Juan Piza-Blondet and any agents, representatives, employees, attorneys, or other persons acting on his behalf.
2. "Subject Property" means the 33.92356 acres of real property described in the Declaration of Taking, and any and all improvements to the Subject Property.

3. “Larger Parcel” means the real property consisting of approximately 386 acres of land, more or less, comprised of both (1) the 33.92356-acre Subject Property described above and in the Declaration of Taking, and (2) the adjacent and surrounding 352.59166 acres of real property owned by you in Vega Baja, Puerto Rico, and any and all improvements to the real property, unless otherwise stated.

4. “Document” means any written, recorded or graphic matter, however produced, reproduced or stored, including but not limited to all communications, images, sound recordings, data compilations, agreements, correspondence, notes, memoranda, analyses, work papers, calendars or any other verbal, graphic or numerical expressions, including drafts, versions, or copies of any of the foregoing, now in the possession, custody or control of you or your agents, representatives, employees, attorneys or other persons acting on your behalf.

Documents Requested

1. All appraisals or other Documents evidencing any estimate or opinion of the value of all or any part of the Subject Property or the Larger Parcel in the period beginning 10 years before the filing of the Declaration of Taking herein, or December 2, 1988, and continuing to the present, and any modifications, amendments or updates to those appraisals or other Documents.
2. All applications or other written requests submitted to any government agency or department at any time in the period beginning 10 years before the filing of the Declaration of Taking herein, or December 2, 1988, and continuing to the present seeking a permit for any sort of residential development, variation of use, or any plan for re-zoning or change in the regulations affecting the Subject Property – including the

Tortuguero Hydrographic Basin Regulations, Flood Prone Zone Regulations, and Army Corps of Engineers Wetlands Regulations.

3. All applications or other written requests submitted to any government agency or department at any time in the period beginning 10 years before the filing of the Declaration of Taking herein, or December 2, 1988, and continuing to the present seeking permission to extract silica sand or other natural resources from the Subject Property or the Larger Parcel.
4. All permits, written approvals, correspondence, memoranda or other Documents issued by any government agency or department at any time in the period beginning 10 years before the filing of the Declaration of Taking herein, or December 2, 1988, and continuing to the present relating to the development of the Subject Property or the Larger Parcel for residential use.
5. All permits, written approvals, correspondence, memoranda or other Documents issued by any government agency or department at any time in the period beginning 10 years before the filing of the Declaration of Taking herein, or December 2, 1988, and continuing to the present relating to the extraction of silica sand or other natural resources on the Subject Property or the Larger Parcel.
6. All Documents, notes, memoranda, and correspondence relating to any violation or alleged violation of any permits issued by the Puerto Rico Department of Natural Resources or any other government agency or department relating to the extraction of silica sand or other natural resources on the Subject Property or the Larger Parcel that have been issued in the period beginning 10 years before the filing of the Declaration of Taking herein, or December 2, 1988, and continuing to the present.

7. All Documents including architectural plans, blueprints, engineering designs, artistic renderings, site plans, surveys, correspondence, notes, or memoranda relating to the development of the Subject Property or the Larger Parcel for residential use at any time in the period beginning 10 years before the filing of the Declaration of Taking herein, or December 2, 1988, and continuing to the present.
8. All Documents, including plans, designs, studies, analyses, correspondence, notes, or memoranda pertaining to the extraction of silica sand or any other natural resource on any part of the Subject Property or the Larger Parcel at any time in the period beginning 10 years before the filing of the Declaration of Taking herein, or December 2, 1988, and continuing to the present.
9. All Documents, including correspondence, notes or memoranda relating to the sale of silica sand or other natural resources to be extracted from the Subject Property or the Larger Parcel at any time in the period beginning 10 years before the filing of the Declaration of Taking herein, or December 2, 1988, and continuing to the present.
10. All Documents, including correspondence, notes or memoranda evidencing any offers to purchase or otherwise acquire an interest in silica sand or other natural resources on the Subject Property or the Larger Parcel at any time in the period beginning 10 years before the filing of the Declaration of Taking herein, or December 2, 1988, and continuing to the present.
11. All Documents evidencing the costs or expenses associated with the extraction of silica sand deposits or other natural resources on the Subject Property or the Larger Parcel.
12. All Documents utilized or relied upon by appraiser Carlos E. Gaztambide and his associates to support the findings and conclusions contained in his two reports concerning

the Subject Property dated June 13, 2005, including all documents reflecting any market data, market analysis, financial feasibility analysis, or other factual information utilized as a basis for his opinions.

13. All Documents contained in the work file of appraiser Carlos E. Gaztambide and his associates relating to his two reports concerning the Subject Property dated June 13, 2005.
14. All maps and diagrams relied upon by appraiser Carlos E. Gaztambide and his associates in preparing his two reports concerning the Subject Property dated June 13, 2005.
15. All Documents, including any development permits or written approvals, relating to the residential project developed by Engineer Jose Hernandez that is located “virtually within the perimeter of the Piza property” and that is referenced on page 23 of the addendum to the appraisal report prepared by Carlos E. Gaztambide dated June 13, 2005.
16. All Documents evidencing any extraction of silica sand or any other natural resources by Engineer Jose Hernandez in connection with his residential project located “virtually within the perimeter of the Piza property” and that is referenced on page 23 of the addendum to the appraisal report prepared by Carlos E. Gaztambide dated June 13, 2005.
17. All Documents relating to any appeals or challenges you have made concerning real estate tax assessments or valuations of the Subject Property or the Larger Parcel in the period beginning 10 years before the filing of the Declaration of Taking herein, or December 2, 1988, and continuing to the present.
18. All Documents, notes, memoranda, and correspondence regarding any sales of the Subject Property, the Larger Parcel, or any other real property owned by you in Vega Baja, Puerto Rico in the period beginning 10 years before the filing of the Declaration of

Taking herein, or December 2, 1988, and continuing to the present, including the sales between you and Orange Development, S.E. that are utilized as comparable sales on pages 48 and 49 of Mr. Gaztambide's June 13, 2005 appraisal report.

19. All surveys and topographic maps and all photographs of the subject property in your possession or control.
20. All loan applications made by you, or on your behalf, relating to the Subject Property, the Larger Parcel, or any other real property owned by you in Vega Baja, Puerto Rico in the period beginning 10 years before the filing of the Declaration of Taking herein, or December 2, 1988, and continuing to the present.
21. All financial statements and tax returns prepared by, or on your behalf, relating to the Subject Property and the Larger Parcel or any business activities conducted on it, along with all supporting documentation whether or not such documentation was filed with the statement or return in the period beginning 10 years before the filing of the Declaration of Taking herein, or December 2, 1988, and continuing to the present.

Respectfully submitted,

H.S. GARCIA
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CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of January, 2006, a true and correct copy of the foregoing Plaintiff's First Request for Production was served via email and by Federal Express addressed to:

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/s Jeffrey M. Tapick